

REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
NEW ENGLAND DISTRICT, CORPS OF ENGINEERS
696 VIRGINIA ROAD
CONCORD, MASSACHUSETTS 01742-2751

REC'D OCT 28 2003

E1-402

October 21, 2003

Regulatory Branch
CENAE-R-2003-02096

Amy Silverstein
Providence and Worcester Railroad Co.
75 Hammond Street
Worcester, MA 01610

RE: Abandonment of Southbridge Running Track

Dear Ms. Silverstein:

I am responding to your submittal dated September 11, 2003 concerning the abandonment of the railroad known as the Southbridge Running Track from Southbridge through Dudley and Webster Massachusetts and into Thompson, Connecticut. As indicated in your submittal the rail line will be abandoned, however the rail line will not be removed, the right of way will remain undisturbed, and abandonment proceedings will not require the placement of fill material in wetlands or waterways. The location of the rail line to be abandoned is depicted on the plan entitled "SOUTHBRIDGE RUNNING TRACK" on 1 sheet dated September 12, 2003.

Our regulatory jurisdiction encompasses all work in or affecting navigable waters of the United States under Section 10 of the Rivers and Harbors Act of 1899 and the discharge of dredged or fill material into all waters of the United States, including adjacent wetlands, as well as the excavation and grading within those waters, under Section 404 of the Clean Water Act. Since your proposal does not include any of the aforementioned activities, a Department of the Army permit is not required.

Finally, our Corps permit process does not supersede any other agency's jurisdiction. Therefore, if other Federal, State, and/or local agencies have jurisdiction over your proposed activity, you must receive all other applicable permits before you can begin work. If you have any questions regarding this letter, contact Ted Lento at (978) 318-8863, or (800) 362-4367 within Massachusetts.

Sincerely,

A handwritten signature in black ink, appearing to read "Crystal L. Gardner", with a long horizontal line extending to the right.

Crystal L. Gardner
Chief, Permits & Enforcement Branch
Regulatory Division